

APPENDIX E

Water Rights Documents

Memorandum

To: Paul Forsberg
Water Coordinator

Date: February 27, 2002

From: **Department of Fish and Game**

Subject: Statements of Water Diversion and Use

I've attached the requested Statements of Water Diversion and Use for the Department lands in Plumas and Sierra Counties, SVCSR.

The Hallelujah Junction WA was pretty easy to work out, since we are using an adjudicated water right for the previous owners, Evans Ranch Associates. The other areas, Warner Valley WA, Antelope Valley WA and Smithneck Creek WA, are a bit of a question for me. These areas have live streams running through them, and we do no diversions, but of course the water these streams provide is critical to the wildlife of the properties.

I don't know if you want to include these or not, so they are attached separately. If you have any questions, please give me a call, and I'll try to help. I'll be in the field for the next couple of weeks, so my cell phone is probably the best number to use to contact me should you have the need. It is (530) 258-7582. Thanks.

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James L. Lidberg
Associate Biologist (Wildlife)
Plumas/Sierra Wildlife Unit

cc: DFG files
P. Perkins ✓

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file.

- A. Name of person diverting water Calif. Dept. Fish & Game
Address 1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670 Telephone: (916) 358-2900
- B. Water is used under: Riparian claim; XX Pre 1914 right; _____ Other (explain) _____
Antelope Valley Creek
- C. Name of the body of water at the point of diversion
Antelope Valley Creek
Tributary to Middle Fork, Feather River
- D. Point of diversion is located within Sierra County on Assessors Parcel # On file at above address, being
within the _____ 1/4 of _____ 1/4 of Section 28, 33, 34, of Township 21N, Range 15E, MD B&M.
Name of works N/A
- E. Do you own the land at the point of diversion? Yes XX NO _____ The name and address of the owner of the land is:
Same as above
- F. Capacity of diversion works N/A (cfs, gpm, or gpd) Capacity of storage tanks or reservoir N/A (gallons or acre-feet)
Type of diversion facility: Gravity N/A Pump _____
Method of measurement: Weir _____ Flume _____ Electric Meter _____ Estimate _____
- G. Enter the amount (or approximate amount) of water used each month.
Amounts below are shown in: Gallons _____ Acre-feet _____ Other _____
- | Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| 2001 | | | | | | | | | | | | | All |
- H. Annual water use in recent years: Maximum all available (gallons or acre-feet) Minimum _____ (gallons or acre-feet)
Year of first use (nearly as known) 1980
- I. Purpose of use: What is the water being used for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Development and maintenance of riparian habitat for fish and wildlife use.
This habitat supports many wildlife species including the yellow warbler, Lahontan cutthroat trout and mule deer.
- J. General description or location of place of use (example: 40 acres of pasture located 3 miles from Happyville on Alpha Road) _____
5400 acres near Sierraville, CA
- K. Map: Please locate the point of diversion and place of use on a print of a USGS quad map, or make a sketch on the section grid provided on the reverse side of this form. The sketch should identify the section lines, prominent local landmarks and roads, your point of diversion, and your place of use (your house, acreage irrigated, etc.).

L. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: N/A

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ___ NO XX.

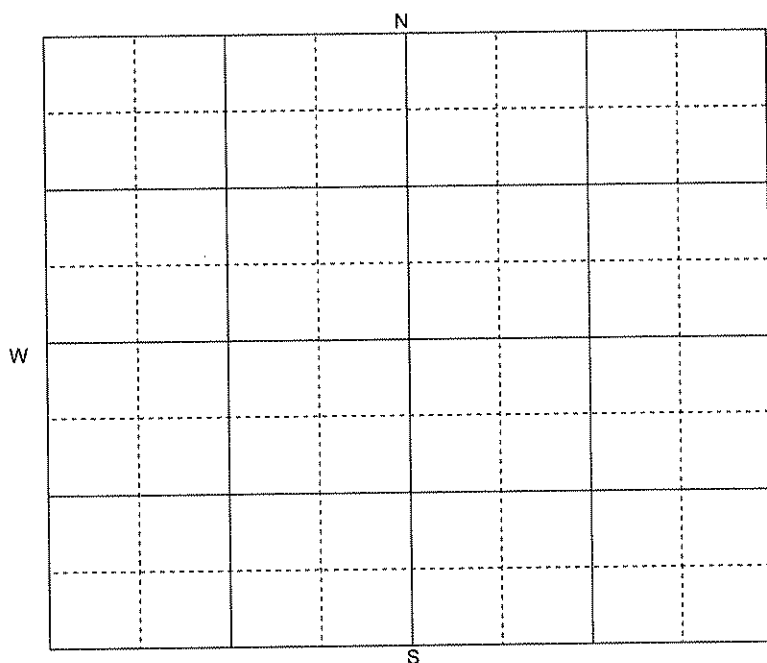
I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATE: 26 February 2002 at Meadow Valley, California

SIGNATURE: _____

PRINTED NAME: James L. Lidberg
(first name) (middle init.) (last name)

COMPANY NAME: Calif. Dept. Fish & Game



The location of the diversion point and the place of use may be sketched on the section grid provided. If it is used, please enter the section(s), township, range and the base & meridian below. Also, show any streams or other landmarks that will assist in identifying the area.

Section(s) 28, 34, 35

Township 21N

Range 15E

MD _____ B&M

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

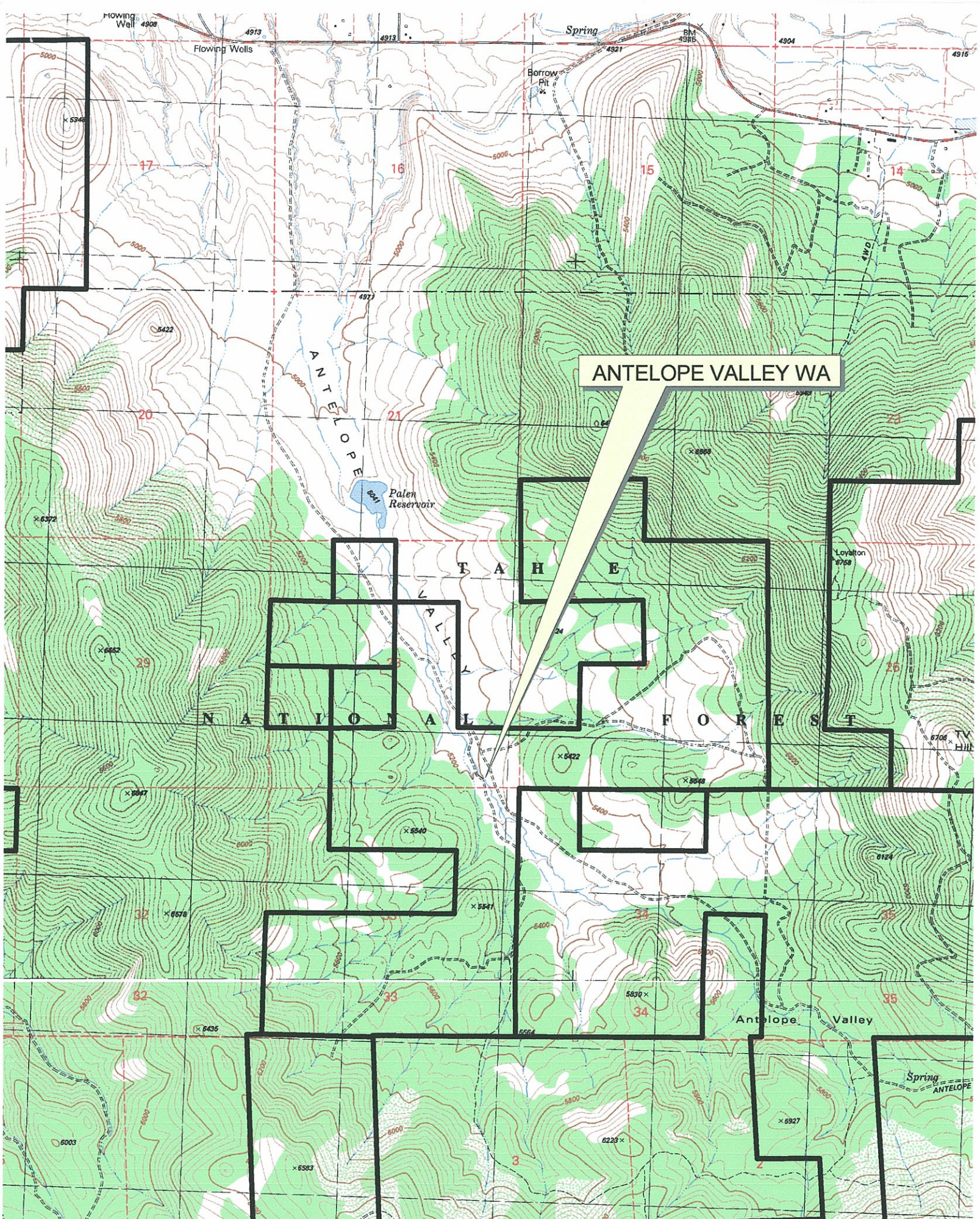
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and per-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Right in California and (3) Appropriation of Water in California.



CA Department of Water Resources – Water Diversion Record

Application : A012900 [JShape Map - 250K] [JShape Map - 100K]

Permit : 007594 Issued on NOV 20,1949

License : 004841 Issued on NOV 01,1957

Primary Contact Owner : FREDERICK BALDERSTON

Owner(s) : FREDERICK BALDERSTON

Mail Receiver (Owner) : FREDERICK BALDERSTON

Source & POD Information :

Water to be diverted from ANTELOPE CREEK - (Stream Code: 001000008)

Tributary to MIDDLE FORK FEATHER RIVER

Maximum Direct Diversion from this source : 0

Maximum Storage from this source per year : 126 ac-ft/annum

POD IN SE Quarter of SW Quarter of Section 21, T21N, R15E, MM&B (Sierra County)

Direct Diversion from this POD : 0

Total Annual Direct Diversion from this POD : 0 ac-ft/annum

Diversion Storage from this POD : 126 ac-ft/annum

Amount :

Maximum Storage : 126 acre-feet/ann

Maximum Annual Use : 126 acre-feet/ann

Purpose of Use : Irrigation

Storage Season : November 1 to March 1

License Image(s):

Page 1 http://165.235.31.51/licimg/CD2/application_12900/license_4841/01530.gif

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